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REMARKS

Claims 1-72 are pending in the application as amended, Claims 67-72 having been added by amendment in Applicants' response dated October 27, 1999 to the Restriction Requirement. Claims 49-50 have now been canceled, without prejudice. New Claim 73 is now presented. Support for new Claim 73 can be found generally in the Specification.

By this Office Action, the Examiner has indicated that Applicants' response dated October 27, 1999 to the Restriction Requirement was not fully responsive, particularly with respect to an election of species and the newly submitted Claims 67-72 and their prosecution with elected Group IV.

Specifically, with regard to previously submitted Claims 67-72, the Examiner notes that they are directed to an invention that is independent or distinct from the oligonucleotides of Claims 29-33 and 49-50, noting that the various oligo's of Claims 29-33 and 49-50 can be used other than in the method of the presented claims. In addition, however, the Examiner remarks that "If Applicants desire to have the method claims examined, then these claims could possibly be rejoined and examined with only the probes, but would not be rejoined with the claims to antisense or ribozymes." Applicants hereby request that the Examiner rejoin and examine Claims 67-72 and newly presented Claim 73 directed to diagnostic methods along with the oligonucleotides of Claims 29-33 as Group IV. Applicants have now canceled Claims 49-50, drawn to antisense and ribozymes, without prejudice to future prosecution.

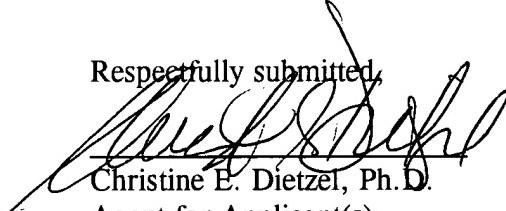
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With regard to the election of species, the Examiner notes that "Applicants have not fully complied with the written Restriction Requirement because the office action clearly stated that if Group IV was elected, then an election of specie was further being imposed." Pursuant to a phone interview with Examiner Draper on July 20, 2000, with respect to the species election, Examiner Draper agreed and stated that the species election requirement would be withdrawn, particularly in view of the cancellation of Claims 49 and 50 drawn to antisense and ribozyme. The Examiner further agreed to rejoin Claims 67-72 and the oligonucleotide (probe) Claims 29-32 as a single Group IV. Applicants acknowledge and appreciate the Examiner's withdrawal of the species requirement and hereby request examination of Claims 29-32 and 67-73 as Group IV.

No fees supplemental to the Extension filed herewith are believed to be necessitated by the foregoing Response. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

In view of the above, withdrawal of the Requirement for the Restriction is requested, and an early action on the merits of the Claims is courteously solicited.

Respectfully submitted,


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Date: *July 20, 2000*